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**From:** O'Neill, Michael S <Michael.O'Neill@chartercom.com>  
**Sent:** Wednesday, March 14, 2012 12:35 PM  
**To:** Appeals  
**Subject:** Appeal  
**Attachments:** Denial of Appeal.pdf; DOC120314.pdf; ATT13943503.txt  
**Importance:** High

It has come to my attention that we were not granted the funding for one month because our billing system prints the previous months date on the first page. The correct dates are provided on the inside of the page of the bill which also shows the months billing cycle and month discount. I would like to resolve this ASAP. I have attached a copy of the Denial of Appeal and the bill.

Please feel free to call me if questions arise!

Contact info:  
Charter Communications  
Michael O'Neill  
12405 Powerscourt Dr  
St Louis 63131  
314-288-3237



Michael O'Neill, Erate Account Specialist CB  
Phone 314-288-3237, Cell-314-452-7869  
12405 PowersCourt Drive, St. Louis, MO 63131

Marcia Evans  
Charter Fiberlink CCO, LLC  
12405 Powerscourt Drive  
Saint Louis, MO 63131

Billed Entity Number: 133208  
Form 471 Application Number: 792422  
Form 486 Application Number:



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2011-2012**

February 03, 2012

Marcia Evans  
Charter Fiberlink CCO, LLC  
12405 Powerscourt Drive  
Saint Louis, MO 63131

Re: Applicant Name: COLBY SCHOOL DISTRICT  
Billed Entity Number: 133208  
Form 471 Application Number: 792422  
Funding Request Number(s): 2144250  
Your Correspondence Dated: January 25, 2012

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Notification of Improperly Disbursed Funds Recovery Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2144250  
Decision on Appeal: **Denied**  
Explanation:

- According to our records, it was determined that the funds were disbursed in excess of products and/or services actually delivered to the applicant. Specifically, the service provider invoiced USAC in excess of the amount billed and services provided to the applicant. The service provider provided five (5) months of bills to support their invoice but one (1) monthly bill was dated outside the fund year. FCC rules authorize USAC to disburse funds to service providers for providing supported services to eligible entities. These rules are violated if the service provider invoices USAC and receives payment for services and/or products in excess of what it delivered to the eligible entity. Since the services were invoiced via a Form 474 (SPI), this violation was caused by an act or omission of the service provider because the service provider is responsible for ensuring that it only receives support for services and/or products that it actually provides to its

customers. In your appeal, you did not prove that USAC's determination was incorrect. Consequently, your appeal is denied. Accordingly, USAC will seek recovery of the \$717.80 of improperly disbursed funds from the service provider.

- USAC improperly disbursed funding for services that were not provided or equipment that was not installed as approved on the applicant's FCC Form 471. FCC rules authorize USAC to disburse funds to service providers for providing supported services to eligible entities. *See* 47 C.F.R. sec. 54.517. These rules are violated if the service provider receives payment for services and/or products that were not delivered to the eligible entity. In the Fifth Report and Order, the Commission stated that it would not be appropriate "for a beneficiary to retain an overpayment if, for some reason, USAC has mistakenly disbursed an amount in excess of that which the entity is allowed under our rules." *See* Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Fifth Report and Order and Order, 19 FCC 15817-18, FCC 04-190 para. 29 (rel. Aug. 13, 2004). The FCC further states that "the service provider is likely to be the entity that fails to deliver supported services within the relevant funding year, fails to properly bill for supported services" and therefore, in such cases the service provider should be a party to whom recovery should be directed. *See* Federal-State Joint Board on Universal Service, Changes to the Board of Directors for the National Exchange Carrier Association, Inc., Schools and Libraries Universal Service Support Mechanism, CC Docket Nos. 96-45, 97-21, 02-6, Order on Reconsideration and Fourth Report and Order, 19 FCC Rcd 15252, 15257, FCC 04-181 para. 15 (rel. Jul. 30, 2004).

If your appeal has been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Kristen Seifert





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PO BOX 1688 FOND DU LAC WI 54936-1688  
8622 3240 ZO RP 23 06242011 NYNNNY

COLBY SCHOOL DI  
505 W SPENCE ST  
COLBY WI 54421-9644



Security Code: 7377

Statement of Service

June 23, 2011

Colby School Di

Account no. 8245 11 795 0003269

Phone Number (999) 999-9999

505 W Spence St  
Control Account  
Colby WI 54421-9644

Contact us

For Billing or Service Inquiries  
visit us at [www.charter.com](http://www.charter.com) or call  
1-888-GET-CHARTER (1-888-438-2427)

Date bill gets printed

### Account Information

Thank you for choosing Charter. We appreciate your prompt payment and value you as a customer.

### Charter Business News

USAC: \*A percentage may be covered by USAC for services that were approved for funding. Additionally, USAC may also cover Priority 1 Telecommunications services on this bill that were approved for funding.

### Summary Details on following pages

Previous Balance	\$281.30
Payments Received	-281.30
<b>Remaining Balance</b>	<b>\$0.00</b>
Charter Business Services	253.85
<hr/>	
<b>Total due by 07/17/11</b>	<b>\$253.85</b>



Visit us on the web at [www.Charter-Business.com](http://www.Charter-Business.com)

### Payment Options

**Pay Online** – Create or Login to MyAccount to pay or view your bill online at [charter.com/myaccount](http://charter.com/myaccount).

**Pay by Mail** – Detach this portion of your statement and send it with your check made payable to Charter in the enclosed envelope. Please do not include correspondences of any type with payments. For questions or concerns, please call 1-888-438-2427.

June 23, 2011  
COLBY SCHOOL DI  
8245 11 795 0003269  
(999) 999-9999  
505 W SPENCE ST  
COLBY WI 54421-9644

**Total due by 07/17/11** **\$253.85**  
Amount you are enclosing: \$



### Change of billing address

Check here and make changes on the back.



CHARTER COMMUNICATIONS  
PO BOX 2981  
MILWAUKEE WI 53201-2981



824511795000326900253856

### Charge Details

Previous Balance	\$281.30
Jun 19 Payment - Thank You	-281.30

### COSCROOT

**STRICT - F COLBY SCHOOL DISTRICT**  
505 W SPENCE ST  
SPIN 143007625  
COLBY, WI 54421-9644  
Account Number: 8245112610001787  
Security Code: 3192

*Monthly Charges*



### Monthly Charges

Date	Description	Quantity	Amount
Jul 01 - Jul 31	Spin 143027625	1	0.00
Jul 01 - Jul 31	MBPS Optical Ethr Intra* FRN2144250-74%DISCOUNT NT	30	970.00
Monthly Charges Subtotal			\$970.00

### Taxes and Fees

Date	Description	Amount
Jun 30 - Jul 29	State Universal Service Fund	1.65
Taxes and Fees Subtotal		\$1.65

### Adjustments

Date	Description	Amount
Jun 12	FRN2144250-74%erate07/11 Adjustment	-717.80
Adjustments Subtotal		-\$717.80

*Adjustment for  
Month of 07/11*

Total for Account 8245112610001787	\$253.85
COSCROOT SUBTOTAL 1 Account(s)	\$253.85
Total for Control Account: COSC9999	\$253.85
Total Accounts: 1	\$253.85

**Total due by 07/17/11 \$253.85**

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